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18 *Attorneys for the Miller Defendants*

19 UNITED STATES DISTRICT COURT
20 DISTRICT OF NEVADA

21 FEDERAL TRADE COMMISSION,
22
23 Plaintiff,
24
25 vs.
26 HEALTH FORMULAS, LLC, *et al.*
27
28 Defendants.

Case No. 2:14-CV01649-RFB-GWF

**MILLER DEFENDANTS' MOTION FOR
ORDER SHORTENING TIME TO
RESPOND TO THEIR MOTION FOR
RELIEF COMPELLING SALE OF
VEHICLE AND RELEASE OF
SHORTAGE OF FUNDS
(FIRST REQUEST)**

29 Pursuant to Local Rule 6-1, Defendants Danelle Miller and Jason Miller (the "Miller
30 Defendants"), by and through their undersigned counsel, hereby move this Court for the entry of
31 an Order shortening time to respond to their Motion for Relief filed January 27, 2015 (Docket No.
32 106). The Motion for Relief asks this Court to order the Receiver and Federal Trade Commission

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1 (“FTC”) to consent to the Miller Defendants’ sale of their 2013 Ferrari 458 Spyder (the
 2 “Vehicle”). The Motion for Relief additionally requests that the Receiver and FTC release funds
 3 sufficient to cover any shortage incurred by the sale from the Miller Defendants’ frozen assets.

4 The Miller Defendants respectfully request an order shortening time to respond to the
 5 Motion for Relief because the Miller Defendants currently have a time-sensitive offer pending on
 6 the sale of the Vehicle. Specifically, the Miller Defendants have received a \$260,000 cash offer
 7 from a buyer in Arizona who is ready to close the deal and wire funds at any time. If the Motion
 8 for Relief were permitted to operate on the usual motions schedule, it is unlikely that the
 9 prospective buyer’s offer will still be on the table by the time the court rules on the Motion for
 10 Relief. Additionally, it is likely that the car will be repossessed by the lien holder, Ally Bank, if
 11 the Miller Defendants are not able to promptly sell the Vehicle.

12 For the foregoing reasons, the Miller Defendants respectfully ask this Court to enter an
 13 Order scheduling the FTC and Receiver to file their responses no later than Friday, January 30,
 14 2015, and for the Miller Defendants to file their reply no later than Tuesday, February 3, 2015.

15 DATED January 27, 2015

16 By: /s/ Rachel Hirsch

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 27, 2015, I caused a copy of the foregoing pleading to be submitted to the above-entitled Court for electronic filing and service upon the Court's Service List for the above-referenced case.

s/ Rachel Hirsch

Rachel Hirsch

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FEDERAL TRADE COMMISSION,

Plaintiff,

vs.

HEALTH FORMULAS, LLC, *et al.*

Defendants.

Case No. 2:14-CV01649-RFB-GWF

ORDER

Having considered the Motion to Shorten Time filed by Danelle Miller and Jason Miller (the “Miller Defendants”), it is hereby

ORDERED that the Motion is GRANTED; and it is further

ORDERED that any Response filed by the Federal Trade Commission and the Receiver in response to the Miller Defendants’ Motion for Relief (Docket No. 106) shall be filed no later than Friday, January 30, 2015; and it is further

ORDERED that the Miller Defendants’ Reply in Support of their Motion for Relief shall be filed no later than Tuesday, February 3, 2015.

APPROVED:

DATED this 28th day of January, 2015.



RICHARD F. BOULWARE, II
United States District Judge